

## **KBP Employee Handbook Addendum *Pennsylvania***

### **INTRODUCTION**

This Addendum is applicable only to **KBP** (“Company”) employees working in the State of Pennsylvania. If any provision in this Addendum conflicts with language in the Employee Handbook (“Handbook”) and/or any other previous policy, this Addendum will control.

This Addendum is to be read in connection with the Handbook. Together, the Handbook and Addendum will provide you with information about your employment and serve as a guide to the Company’s current policies, practices, and procedures.

### **POLICIES**

#### **EQUAL EMPLOYMENT OPPORTUNITY**

We are an Equal Employment Opportunity employer committed to providing equal opportunity in all of our employment practices, including selection, hiring, assignment, re-assignment, promotion, transfer, compensation, discipline, and termination. The Company prohibits discrimination, harassment, and retaliation in employment based on race (including traits historically associated with race, such as hair texture and protective hairstyles, like braids, locks, and twists); color; religion; creed; ancestry; genetic information; national origin; sex; sexual orientation; gender identity or expression; pregnancy, childbirth, or related medical conditions (including lactation); age; disability or handicap (including unlawful discrimination against an employee due to their association with a person with a disability); use of a guide or support animal; citizenship status; service member status; status as an individual who is certified to use medical marijuana; or any other category protected by federal, state or local law. Violation of this policy will result in disciplinary action, up to and including immediate termination. Please see the legal postings on the bulletin board for a full list of state-protected EEO categories.

#### **EMPLOYING MINORS – CHILD LABOR**

KBP is committed to full compliance with the federal and state child labor laws. KBP has implemented various compliance and monitoring processes to ensure compliance with KBP’s policies and the requirements of the law.

Due to the nature of KBP’s business, the Company from time to time may hire minors to fill designated non-hazardous positions. KBP defines a minor as any employee between the ages of 15 and 17. KBP however, strictly prohibits hiring anyone under the age of 15, regardless of the position or location.

KBP also strictly prohibits minors working in any KBP position that is or may be dangerous, hazardous, or harmful in any way to their lives, health, safety, morals, or welfare, including any functions, activities, or occupation declared hazardous by applicable state or federal law. To ensure compliance with this policy, all KBP minor employment placements must be approved by the General Manager or Area Coach in your location. Placing a minor in a position prohibited by this policy is grounds for disciplinary action up to and including termination, which may be progressive or immediate. KBP will determine the appropriate level of discipline based upon the particular facts and circumstances.

In locations where federal and state child labor laws differ, KBP is required to follow the more restrictive rules as outlined below. If you are unsure about the child labor laws applicable to your location, please contact your HR Business Partner or KBP's HR Ethics Hotline at 888-971-2991.

For your reference, links to the federal and state child labor laws are provided below:

**US DOL:** <https://www.dol.gov/agencies/whd/child-labor>

**Pennsylvania Department of Labor and Industry:**

<https://www.dli.pa.gov/Individuals/Labor-Management-Relations/llc/child-labor/Pages/default.aspx>

### **Hazardous Functions, Activities, Occupations**

Federal and state law prohibits minors from working in positions or occupations that are declared hazardous. Minors employed by KBP are **strictly prohibited** from performing any of the following activities:

#### **Minors under 18:**

- use, set up, adjusting, cleaning of commercial mixers and power-driven bakery machines;
- working in freezers and coolers, except to momentarily retrieve permitted items;
- loading and unloading from motor vehicles.

#### **Minors Age 15 (in addition to those listed above also are prohibited from the following):**

- cooking duties over open flame;
- use of deep fat fryers unless it has devices that automatically raise and lower the baskets;
- operating broilers, rotisseries, pressure cookers, high-speed ovens or rapid toasters;
- performing any baking activities;
- and using any slicers, grinders, or processors.

### ***Pennsylvania - Hazardous Functions, Activities, Occupations***

In addition to the federal rules listed above, Pennsylvania law places *further restrictions* on minors. Pennsylvania prohibits any minor under 18 years of age, from being employed at any time in any occupation, trade or business that is in any way hazardous to the minor.

#### **Pennsylvania Minors (in addition to the federal rules listed above) may not:**

- engage in youth peddling activities such as wearing or waving signs, merchandise, costumes, sandwich boards, or placards in order to attract potential customers, except when performed inside or directly in front of the establishment providing the advertised product.

#### **Minors Age 15 – Permissible Job Functions at KBP:**

KBP has outlined a non-exhaustive list of common job functions performed at its locations that 15-year-olds are permitted to perform as listed below. If you have questions about a particular job function or equipment that may or may not be listed below, contact your HR Business Partner prior to the 15-year-old commencing the work.

#### ***Acceptable KBP Job Functions for 15-year-old employees***

- Greet customers and obtain orders;
- Perform cashiering duties;
- Provide drive-thru support;
- Make beverages;
- Pack orders;
- Bag and carry out customer orders;

- Clean up work (wiping tables, sweeping floors, cleaning restrooms, picking up trash in parking lot, washing dishes);
- Prep in the kitchen area (not in the cooler and/or freezer); and
- Prep sides by using the microwave.

## **Employment Certificates/Work Permits**

**Minors must present KBP documents as evidence of their age.** The original documents KBP obtains for certifying the age of minor employees should be kept on site at the work location and uploaded to KBP's Workday system, by the hiring manager.

### ***Pennsylvania - Employment Certificates/Work Permits***

All minors must obtain and present a work permit, issued by the Department of Labor and Industry, to KBP during the recruiting process to be hired. **Minors age 15 must** also have a written statement from their parent or legal guardian, acknowledging an understanding of their duties and work hours and granting them permission to work.

The Company will notify the issuing officer of the work permit about its employment of the minor, in writing, within 5 days after the minor's employment starts. This notice must detail the minor's normal duties and work hours and include the minor's age and work permit number. Within 5 days after the minor's final day of employment, the Company will notify the issuing officer that it no longer employs the minor.

**Managers are required to keep the original work permits and written statements on site at the work location and a copy uploaded to KBP's Workday system.** These documents are to be kept available for review by any inspector or officer who enforces the child labor laws.

## **Uniforms for 15-Year-Old Workers**

All KBP employees are required to adhere to the Company's uniform, appearance and hygiene standards. Employees 15-years old are required to wear specialized hat colors (color dependent upon brand and location) at all times during their shift. The hat colors provide managers a monitoring system to be easily alerted to the employee's specific work limitations and restrictions.

## **Hours of Work**

Once KBP hires a minor, the Company will strictly comply with the hours of work limitations for minors. In areas where the state and federal laws differ, KBP follows the more restrictive hours limitations for minors. Minors may only be scheduled as follows:

### **Minors Age 15 (Federal):**

- **When school is in session, may** only work between the hours of 7 a.m. to 7 p.m, and
  - May not be scheduled or work more than 3 hours on any school day, including Fridays;
  - May not be scheduled more than 8 hours on any non-school day; and
  - May not work more than 18 hours total in any school week.
- Between June 1 and Labor Day, 15-year-olds may work between the hours of 7 a.m. and 9 p.m., but may not be scheduled or work more than 40 hours per week.

### **Minors Age 15 (Pennsylvania):**

- May not work for more than 6 consecutive days;
- May not work during school hours or any time that interferes with school attendance; and

- May not work more than 40 hours a week when school is not in session.

#### **Minors Age 16 & 17 (Pennsylvania):**

- May not be scheduled to work for more than 6 consecutive days;
- When school is in session:
  - May not work more than 8 hours in a day;
  - May not work more than 28 hours during a regular school week;
  - May not work before 6 a.m. or after midnight;
- May work until 1 a.m. during a school vacation;
- May not work more than 10 hours per day when school is not in session;
- May not work more than 48 hours in a single week, provided that for any hours over 44 in a single week **must be voluntarily agreed to by the minor and may be rejected by such minor without retaliation.**
- The above-referenced work hour restrictions do not apply to high school graduates or minors who are exempt from compulsory school attendance requirements under state law.

#### **Meal and Rest Breaks**

The Company will provide an unpaid duty-free rest break of at least 30 minutes to any minor who is employed for more than 5 consecutive hours.

#### **Poster**

The Company will display a printed abstract of the child labor law provisions in a conspicuous place in each of its establishments.

#### **Questions/Reporting**

Employees with questions concerning the application of this child labor policy, must consult with Human Resources immediately. Any employee who knows or suspects that this policy is being violated is required immediately to report this information to Human Resources. Any questions or reports relating to child labor should be made to KBP's Ethics Hotline at 888-971-2991.

#### **EMERGENCY RESPONDER LEAVE**

Any employee who serves as volunteer firefighter, fire police or volunteer member of an ambulance service or rescue squad will receive unpaid leave in which to respond to an emergency call made prior to the start of their scheduled shift.

Prior to missing work, you must attempt to contact your supervisor or otherwise notify the Company that you have been dispatched to an emergency. If you fail to report for work, you must provide the Company with a statement from the Chief Executive Officer of the volunteer fire company, ambulance service or rescue squad or its affiliated organization stating that you responded to a call and the time at which you responded.

#### **JURY DUTY**

If you receive a call to jury duty, please notify your manager immediately so that we can plan our work with as little disruption as possible. While on jury duty, the Company will provide employees with unpaid leave to serve.

Employees with jury duty must provide their manager with a copy of the subpoena. Employees who are released from jury service before the end of their regularly scheduled shift or who are not asked to serve on a jury panel are expected to call their manager as soon as possible and report to work if necessary.

## **MEAL AND BREAK PERIODS**

KBP is committed to full compliance with federal and state wage and hour laws regarding employee break and mealtimes. Employee break schedules, when applicable, are set by store management based upon the business needs and in compliance with any legally required breaktimes. Generally, for our hourly employees, a duty-free meal period of 20 minutes or longer will be unpaid and break period(s) under 20 minutes will be paid. Hourly employees should remember to clock-in/out for all duty-free meal and break period(s) and should not perform any work during these break times. KBP prohibits employees from working off-the-clock under any circumstances including during break/mealtimes. Employees should not perform work unless you are “on the clock.” Violations of this policy will result in disciplinary action up to and including termination.

### ***Pennsylvania***

Pennsylvania has no state rule regarding mandatory employee break or mealtime. If you have questions about meal periods or breaks, please communicate with your store management.

## **MILITARY LEAVE**

Employees who are required to fulfill military obligations in any branch of the Armed Forces of the United States or in state military service will be given the necessary time off and reinstated to the same or a similar position in accordance with federal and state law. The time off will be unpaid, except where applicable law dictates otherwise.

Accrued paid time off (if any) may be used for this leave if the employee chooses, but the Company will not require the employee to use paid time off. Military orders should be presented to your manager and arrangements for leave made as early as possible before departure. Employees are required to give advance notice of their service obligations to the Company unless military necessity makes this impossible. You must notify your supervisor of your intent to return to employment based on requirements of the law. Your benefits may continue to accrue during the period of leave in accordance with state and federal law.

Additional information regarding military leaves may be obtained from your supervisor.

## **NO WEAPONS IN THE WORKPLACE**

The Company prohibits you and all other persons (other than law enforcement and authorized security personnel) from having firearms in working areas, in buildings, or on your person during working time or while performing work. Firearms are prohibited on all Company property and in Company vehicles. The only exception to this rule is that a person with a current license to carry a firearm may keep a firearm in their personal vehicle so long as it is kept out of sight in a locked, enclosed compartment or area of their vehicle in the Company’s parking lot. Anyone who has a license to carry a firearm and will have the firearm on Company property, must notify the Company and provide a copy of the license.

Failure to notify the Company with a copy of a current firearm license, to properly secure and

protect a firearm or to comply with this policy may subject you to discipline, up to and including immediate termination. Employees who have questions concerning the application of this policy, should consult Human Resources immediately.

## **ORGAN AND TISSUE DONATION LEAVE**

Employees eligible for leave under the Federal Family and Medical Leave Act (FMLA), can use such leave to prepare for and/or recover from surgery related to organ or tissue donation, on the same terms as if they were using FMLA for their own serious health condition. Similarly, employees can use FMLA for the preparation and/or recovery of their spouse, child or parent related to their organ or tissue donation surgery, on the same terms as if they were using FMLA for the care of their spouse, child or parent with a serious medical condition. Please see our FMLA policy for more information.

Leave provided under this policy will run concurrent with FMLA and any other leave applicable, to the extent allowed by law. The Company may require you to submit written documentation supporting your need for leave.

Please see Human Resources for more information.

## **PERSONNEL RECORDS**

**Employees may inspect their personnel file once a year, in the presence of a Company official. Personnel file documents subject to inspection may include, the employee's: job application, wage or salary information, notices of commendations, warnings or other discipline, authorization for a deduction or withholding of pay, fringe benefit information, leave records, and employment history with the Company. The file may be inspected at a reasonable time during regular business hours and in the office where the records are maintained. Employees may take notes regarding the contents of their file and may place a statement in their file if they find an error. For more information, please contact Human Resources.**

## **SEVERE WEATHER**

The Company will not terminate or discipline an employee for failing to report to work due to a closure of roads in the county of the Company's place of business or the county of the employee's residence resulting from a state emergency declared by the Governor.

## **VICTIMS OF CRIME LEAVE**

The Company will grant reasonable and necessary unpaid leave from work to employees who are victims of a crime or witness to a crime, to attend or participate in legal proceedings pertaining to the crime. Affected employees must give the Company reasonable notice that leave under this policy is required.

## **WAGE PAYMENT**

The Company will pay employees biweekly.

## **WITNESS LEAVE**

Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with state law.

***Exempt employees may be provided time off with pay for any of the above-described leaves when necessary to comply with state and federal wage and hour laws.***

## **ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK ADDENDUM**

I acknowledge that I have received a copy of the **KBP** ("Company") Employee Handbook and Employee Handbook Addendum for Pennsylvania ("Addendum"). I will familiarize myself with the Handbook (including the Addendum) and all of its contents.

I understand that the Handbook (including the Addendum) represents only current policies and benefits and that it does not create a contract of employment. The Company may change these policies and benefits at any time, without advance notice, as it deems appropriate.

I understand that I have the right to terminate my employment at any time, for any reason with or without advance notice, and that the Company has a similar right. I further understand that my status as an at-will employee may not be changed except in writing, signed by the Company's CPO.